

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
March 22-26, 1999

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-23	EX	75/095,740	Dynamic Metal Treating, Inc.	Quinn* Wendel Bucher	2(d)	Refusal Affirmed		"MICRO-TEC" [applying protective coatings to metal]	"MICROTECH" [highly polished finish sold as an integral part of metal fasteners, namely, screws, bolts and washers]	Dunn	No
3-23	OPP (R)	102,455	Lever Investments Corp. and Conopco, Inc. v. Daniel F. Ponder	Simms Hanak* Hairston	2(d)	Request for Reconsideration Denied (Opposition Sustained as to goods in Int. Cl. 3, but Opposition Dismissed as to goods in Int. Cl. 16, 25, and 41)	"SUNLIGHT" [dishwashing detergent]	"SUNLITE" [skin lotions, essential oils for personal use, sun block preparations (in Int. Cl. 3); printed materials, namely, decals, greeting cards, flash cards, posters and newsletters and magazines featuring sun awareness safety topics (in Int. Cl. 16); clothing, namely, shirts, pants, sweaters, swimsuits, jackets, hats, and caps (in Int. Cl. 25); educational services, namely, conducting seminars and conferences in the field of sun awareness safety and distributing course materials in connection therewith, and development and dissemination of educational materials of others in the field of sun awareness safety (in Int. Cl. 41)]			No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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3-23	EX	74/152,522	Field Fresh Foods, Inc.	Cissel* Quinn Bucher	2(d); 2(e)(1)	Refusal Affirmed (on both grounds)		"FIELD FRESH FOODS" [fresh pre-cut vegetables]	"FIELD FRESH" (in stylized lettering) [fresh pineapple]	Richard	No
3-23	OPP	101,639	James W. Ross, Jr. v. Analytical Technology, Inc. and Orion Research, Inc.	Quinn Hairston Wendel*	2(c)--consent to registration	Opposition Sustained		"ROSS" [equipment for electrochemical analysis, namely, electrochemical electrodes for ion detection and measurement, electrical meters responsive to the output of such electrodes, and parts therefor]			Yes
3-23	OPP	98,117	Compu Serve, Inc. v. Online Careline, Inc.	Cissel* Hohein Hairston	2(d)	Opposition Sustained	"ONLINE TODAY" [marketing of computer programs and computerized communication services including providing access to on-line computer services offering computer enhanced news and commentary]	"ON-LINE TODAY" [providing telecommunication connections to a global computer network]			No
3-23	EX	75/085,463	The Guru of Yoga Center & Spiritual World Society	Quinn Wendel Bucher*	2(e)(1)	Refusal Affirmed		"MYSTIC" [pre-recorded audio tapes and video tapes featuring the topics of mysticism, yoga, and metaphysics; newsletters, books, and correspondence course materials in the fields of mysticism, yoga, and metaphysics]		Coward	No

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3-23	EX	74/469,155	Municipal Capital Markets Corp.	Simms Cissel (D) Hanak*	2(e)(3)	Refusal Reversed		"COOPERSTOWN" [restaurant services]		Gast	Yes
3-23	EX	74/570,070	Zippo Mfg. Co.	Quinn Hohein Hairston*	de jure functionality	Refusal Reversed		configuration of a cigarette lighter [cigarette lighters]		Alt	Yes
3-23	CANC (SJ)	20,912	McKee Foods Corp. v. Debbie & Skip Singleton	Quinn Hohein Hairston (Opinion "By the Board")	2(d)	Opposition Sustained (Motion for Summary Judgment Granted)	"LITTLE DEBBIE" [cakes, cookies, pies, granola cereal, etc.]	"DEBBIE'S FAMOUS GRANOLA" (and design) [processed granola cereal]			No
3-23	EX	74/605,409	Chaum	Simms Hanak Hohein*	2(e)(1)	Refusal Affirmed		"CYBER-CASH" [conducting financial and monetary transactions, electronic payment transactions, electronic credit transactions and electronic value transfers]		Cataldo	No
3-23	EX	75/078,660	The Total Quality Group, Inc.	Quinn* Hohein Chapman	2(d)	Refusal Affirmed		"STRATEGYN" [computer software for use in connection with developing and optimizing personal and business strategies and plans, not including statistical data analysis]	"STRATEGEN" [computer software and user manuals, sold as a unit, used to perform statistical data analysis for marketing and sales management]	Nicholson	Yes
3-23	EX	74/656,074	H.J.M. De Vries	Hanak* Hohein Chapman	2(d)	Refusal Affirmed		"THE BULLDOG" [hotel, cocktail lounge, bar and restaurant services]	"BULL DOG DELI--NEW YORK STYLE DELI SANDWICHES" (and design) [restaurant services]	Horrall	No

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3-23	OPP	91,881	J. G. Hook, Inc. v. Sportailor, Inc.	Seeherman* Quinn Bucher	2(d)	Opposition Dismissed	"J.G. HOOK" (in stylized lettering, with an anchor design) [handbags, wallets, brief cases, luggage] and a number of similar marks applied to clothing items	"HOOK & TACKLE" [luggage]			No

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